

### **33. INSPECTION STANDARDS AND TEST PROCEDURES TO BE USED BY LICENSED PRIVATE INSPECTION FACILITIES**

#### **§ 13:20-33.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Acute area of the windshield glazing" means the rectangular area of the windshield, eight and one-half inches by 11 inches, directly in front of the driver's line of vision as depicted in Appendix D of this subchapter, incorporated herein by reference. The center point of the acute area of the windshield glazing is the point of intersection of the centerline that is drawn directly from the center of the steering wheel onto the windshield and the midpoint line that is drawn across the length of the windshield halfway between the top and the bottom of the windshield.

"Certificate of approval" means an inspection sticker issued by an official inspection facility, a licensed private inspection facility, a State specialty inspection facility or the Motor Vehicle Commission's Mobile Inspection Unit certifying that a motor vehicle complies with the requirements of Title 39 and Title 26 of the Revised Statutes, N.J.A.C. 13:20-43, 32 or this subchapter, whichever is applicable, and either N.J.A.C. 7:27-15 and 7:27B-5 regarding the inspection of gasoline-fueled and bi-fueled motor vehicles or N.J.A.C. 7:27-14 and 7:27B-4 regarding the inspection of diesel-fueled motor vehicles, whichever are applicable.

"Chief Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

"Class I" means a licensed private inspection facility equipped with Department of Environmental Protection-approved OBD equipment as set forth at N.J.A.C. 7:27B-5.6.

"Class II" means a licensed private inspection facility equipped with Department of Environmental Protection-approved smoke opacity equipment or smoke meter used for testing as set forth at N.J.A.C. 7:27-14.5.

"Class III" means a licensed private inspection facility equipped with Department of Environmental Protection-approved OBD test equipment used for testing as set forth at N.J.A.C. 7:27B-5.6 and Department of Environmental Protection-approved smoke opacity equipment or smoke meter used for testing as set forth at N.J.A.C. 7:27-14.5.

"Commercial motor vehicle inspection" means the annual inspection for mechanical defects with applicable emission test or emission component test of passenger vehicle transportation and commercial vehicles, except for diesel-fueled vehicles that are registered as commercial vehicles having a GVWR of greater than 8,500 pounds.

"Commercial vehicle" means all vehicles registered according to N.J.S.A. 39:3-20, regardless of weight (if gasoline or bi-fueled) or having a GVWR of 8,500 pounds or less (if diesel fueled).

"Critical area of the windshield glazing" means the area of the windshield cleaned by the normal sweep of the windshield wiper blades provided as original equipment by the motor vehicle manufacturer as depicted in Appendix D of this subchapter.

"Driving school vehicle" means any vehicle owned or leased by a licensed Motor Vehicle Commission driving school used to provide driver training and testing to school clients.

"Electric vehicle" means any vehicle powered solely by electric without an on-board engine or generator, and that does not use a hydrocarbon fuel to create electricity. These vehicles include plug-in electric, but not plug-in hybrid electric, or solar powered vehicles.

"EPA" means the United States Environmental Protection Agency.

"Gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the maximum loaded weight of a single or combination (articulated) vehicle.

"Initial inspection" means the required inspection conducted on a motor vehicle at the beginning of each inspection cycle as appropriate for the vehicle to obtain a certificate of approval for a new inspection cycle.

"Inspection decal" means an inspection sticker issued by an official inspection facility, a State specialty inspection facility, or the Motor Vehicle Commission's Mobile Inspection Services Bus Unit in accordance with N.J.A.C. 13:20-7.4 setting forth the year and month in which a motor vehicle less than five model years old shall be presented for inspection in this State.

"Jitney" means an autobus as defined in N.J.S.A. 48:16-23 with a carrying capacity of not more than 13 passengers, operated under municipal consent upon a route established wholly within the limits of a single municipality or with a carrying capacity of not more than 20 passengers operated under municipal consent upon a route established wholly within the limits of not more than four contiguous municipalities within any county of the fifth or sixth class, which route in either case does not, in whole or in part, parallel upon the same street the line of any street railway or traction railway or any other autobus route.

"Limousine" means any motor vehicle that is issued special registration plates bearing the word "limousine" pursuant to N.J.S.A. 39:3-19.5 other than motor vehicles that are subject to inspection by the Motor Vehicle Commission's Commercial Bus Inspection and Investigation Unit.

"Motor Vehicle Commission" or "Commission" means the New Jersey Motor Vehicle Commission established by section 4 of P. L. 2003, c. 13 (N.J.S.A. 39:2A-4).

"OBD-eligible" means capable of receiving an OBD inspection as determined by the Department of Environmental Protection in accordance with N.J.A.C. 7:27-15.5(m) or 14.5(g), whichever is applicable.

"Official inspection facility" means a test-only inspection facility that the State Treasurer has contracted for pursuant to section 4 of P.L. 1995, c.112.

"Omnibus" means all motor vehicles used for the transportation of passengers for hire, except commuter vans and vehicles used in ridesharing arrangements and school buses, if the same are not otherwise used in the transportation of passengers for hire.

"Omnibus 2" means motor vehicles operated by a company or individual that provides passenger transportation to a target audience and market that is not in competition with a publicly regulated transit route or does not collect fares from the general public.

"On-board diagnostics" or "OBD" means an automotive diagnostic system complying with California OBD regulations at Title 13 California Code section 1968.1 or EPA OBD regulations at 40 CFR Part 86.

"Passenger vehicle" means all vehicles registered with registration codes 1 through 9, 12 (not utilized to transport passengers), 15, 31, and 73.

"Passenger vehicle transportation" means vehicles regardless of fuel type, plated as taxicab, limousine, jitney, Omnibus 2, hotel bus, paratransit vehicle, mobile assistance vehicle, or ambulance, except those vehicles inspected by the Commission's Inspection Services Bus Unit.

"Peripheral area of the windshield glazing" means the area of the windshield, other than the acute area and the critical area, as depicted in Appendix D of this subchapter.

"Private inspection facility" means any person, partnership, or corporation licensed by the Motor Vehicle Commission pursuant to N.J.A.C. 13:20-44 to perform the motor vehicle inspections required by N.J.S.A. 39:8-1.

"Re-inspection" means any subsequent inspection required due to a failure of an initial inspection in order for a vehicle to obtain a certificate of approval.

"Smoke opacity inspection" means the emissions testing of heavy duty diesel vehicles, with a gross vehicle weight rating (GVWR) of 18,000 pounds or greater, as prescribed under the provisions of N.J.A.C. 7:27B.

"State specialty inspection facility" means a test-only inspection facility that is operated by the Motor Vehicle Commission to inspect certain motor vehicles as specified in N.J.A.C. 13:20-7.3(d).

"Taxicab" means an autocab as defined in N.J.S.A. 48:16-1 engaged in the business of carrying passengers for hire, which is held out, announced or advertised to operate or run or which is operated or run over any of the streets or public highways of this State, and particularly accepts and discharges such persons as may offer themselves for transportation from points or places to points or places within or without the State.

#### **HISTORY:**

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

In "Certificate of waiver", inserted "or OBD" preceding "inspection standards" ; added "EPA" and " 'On-board diagnostics' or 'OBD' ".

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" throughout; added definitions "Chief Administrator" and "Motor Vehicle Commission"; and deleted definitions "Director" and "Division".

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

Added definitions "Acute area of the windshield glazing", "Critical area of the windshield glazing" and "Peripheral area of the windshield glazing".

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

In definition "Certificate of approval", deleted "or" preceding "a State", inserted "or the Motor Vehicle Commission's Mobile Inspection Unit", "either", "gasoline-fueled and bi-fueled", and "or N.J.A.C. 7:27-14 and 7:27B-4 regarding the inspection of diesel-fueled motor vehicles, whichever are applicable", and substituted "32" for "N.J.A.C. 13:30-32"; deleted definition "Certificate of waiver"; added definitions "Inspection decal", "Jitney", "Limousine", "OBD-eligible" and "Taxicab", and in definition "On-board diagnostics", inserted "Air Resources Board", "gasoline-fueled and bi-fueled" and "and for model year 1997 and newer diesel-fueled motor vehicles", and deleted "II" following "EPA OBD".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Added definitions "Class I", "Class II", "Class III", "Class IV", "Class V", "Commercial motor vehicle inspection", "Driving school vehicle", "Electric vehicle", and "Smoke opacity inspection"; and rewrote definitions "Inspection decal" and " 'On-board diagnostics' or 'OBD' ".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

In definition "Class I", substituted "private" for "privately owned and operated"; rewrote definitions "Class II", "Class III", and "Commercial motor vehicle inspection"; deleted definitions "Class IV" and "Class V"; and added definitions "Commercial vehicle", "Initial inspection", "Omnibus", "Omnibus 2", "Passenger vehicle", "Passenger vehicle transportation", and "Re-inspection".

### **§ 13:20-33.2 General provisions; Class I, II, and III licensees**

(a) This subchapter contains the inspection standards and test procedures to be used by Class I, Class II, and Class III licensed private inspection facilities when conducting the following vehicle inspections:

1. Passenger vehicle inspection;
2. Commercial vehicle inspection; or
3. Smoke opacity inspection.

(b) A private inspection facility license authorizes the placement of an inspection certificate of approval on a motor vehicle upon:

1. Initial inspection as certification of compliance with inspection requirements; and
2. Reinspection as certification that defects for which the motor vehicle was initially rejected have been repaired, adjusted, or corrected to bring the motor vehicle into compliance with inspection requirements.

(c) An emission or OBD inspection or reinspection shall be performed by a motor vehicle emission inspector licensed in accordance with N.J.S.A. 39:8-1 et seq. and N.J.A.C. 13:20-43.17. The motor vehicle emission inspector shall sign his or her name on the motor vehicle inspection report upon completion of the inspection or reinspection of a motor vehicle. A safety inspection or reinspection shall be performed by a mechanic possessing the qualifications set forth at N.J.A.C. 13:20-44.19. The mechanic shall sign his or her name on the motor vehicle inspection report upon completion of the inspection or reinspection of a motor vehicle.

(d) The fee that may be charged by a licensed private inspection facility for an initial passenger vehicle inspection shall not exceed the schedule of inspection charges displayed at the facility's place of business and on file with the Motor Vehicle Commission's Private Inspection Facility Licensing Unit. The schedule of inspection charges for a licensed private inspection facility shall specifically set forth the inspection charge for the initial inspection of motor vehicles having a GVWR of 8,500 pounds or less and

if applicable the inspection charge for the initial inspection of motor vehicles having a GVWR greater than 8,500 pounds.

**(e)** The schedule of inspection charges shall be displayed at the facility's place of business and filed with the Motor Vehicle Commission's Private Inspection Facility Licensing Unit.

**(f)** A Class I, Class II, or Class III licensed private inspection facility shall not perform emission-related or OBD-related motor vehicle repairs, unless it is registered with the Motor Vehicle Commission as a motor vehicle emission repair facility in accordance with N.J.A.C. 13:20-45.

**(g)** If a licensed private inspection facility is authorized to make repairs, the condition of the rejected item(s) shall be brought into compliance with the inspection standards set forth in this subchapter and the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable.

**(h)** A private inspection facility license also requires re-inspection and certification of a motor vehicle when the motor vehicle owner or lessee, or someone not under the direction of the licensee, has made the repairs, adjustments, or corrections. In such cases, the private inspection facility shall re-inspect the rejected item(s) to determine if they conform to the standards set forth in this subchapter and the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable. If such defect(s) have been brought into compliance with the standards set forth in this subchapter and the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable, an inspection certificate of approval shall be affixed to the motor vehicle. A private inspection facility may charge a fee for such re-inspection service for motor vehicles having a GVWR of 8,500 pounds or less based on the facility's established hourly labor charge for repair service, but only that portion of an hour which the Motor Vehicle Commission has established to be the average time for re-inspection of specific rejected items for motor vehicles having a GVWR of 8,500 pounds or less by Class I or Class III licensees as set forth in Appendix A, incorporated herein by reference; or that portion of an hour which the Motor Vehicle Commission has established to be the average time for re-inspection of specific rejected items for motor vehicles having a GVWR greater than 8,500 pounds by Class I or Class III licensees as set forth in Appendix B, incorporated herein by reference; or that portion of an hour which the Motor Vehicle Commission has established to be the average time for re-inspection of specific rejected items for Class II or Class III licensees as set forth in Appendix C, incorporated herein by reference.

**(i)** When an inspection is performed on a motor vehicle, the private inspection facility shall cause to be imprinted on the inspection invoice a stamp with the following:

NEW JERSEY

MOTOR VEHICLE COMMISSION

PRIVATE INSPECTION FACILITY

LICENSE NO.

STICKER NO.

DATE:

(j) The private inspection facility license number, the inspection certificate of approval number, if applicable, and the date of inspection shall be contained on the stamp. Each private inspection facility shall purchase the above stamp from a commercial source.

(k) If a passenger vehicle, commercial vehicle and passenger vehicle transportation registered in New Jersey conforms to the inspection standards set forth in this subchapter and the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable, the motor vehicle shall be certified by a private inspection facility licensee by removing the previously-issued inspection certificate of approval, inspection decal, or inspection rejection sticker, if any, and replacing it with a current inspection certificate of approval. The inspection certificate of approval issued by a private inspection facility licensee shall be affixed to the lower left corner of the windshield inside the passenger compartment of the motor vehicle, approximately three inches from the bottom of the windshield and approximately four inches from the left side of the windshield, but in every case, the inspection certificate of approval shall be completely visible from the front of the motor vehicle. The inspection certificate of approval shall be affixed in an upright position.

(l) If a passenger vehicle, commercial vehicle, or passenger vehicle transportation registered in New Jersey does not conform to the inspection standards set forth in this subchapter or the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable, a private inspection facility licensee shall present the motor vehicle inspection report for such motor vehicle to the operator thereof, and the licensee shall deface the previously-issued inspection certificate of approval or inspection decal affixed to the motor vehicle, if any, by cutting it in a diagonal manner from the upper right corner of the certificate to the lower left corner of the certificate as viewed from inside the passenger compartment of the motor vehicle and removing the lower right half of such certificate. This shall be an indication that adjustments, corrections, or repairs to the motor vehicle that has failed inspection must be made and the motor vehicle presented for re-inspection within the period of time set forth in N.J.A.C. 13:20-7.5. If there is no previously-issued certificate of approval or inspection decal affixed to the windshield, the motor vehicle inspection report issued to the operator of the motor vehicle by the licensed private inspection facility shall be an indication that adjustments, corrections, or repairs to the motor vehicle that has failed inspection must be made and the motor vehicle presented for re-inspection within the period of time set forth in N.J.A.C. 13:20-7.5.

(m) Notwithstanding (l) above, if a passenger vehicle, commercial vehicle, or passenger vehicle transportation registered in New Jersey does not conform to the inspection standards set forth in this subchapter or the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable, and the nature of the defect(s) found is such as to constitute a hazard to the public safety so as to require immediate repairs to such motor vehicle, a private inspection facility licensee shall present the motor vehicle inspection report for such motor vehicle to the operator thereof, shall remove the previously-issued inspection certificate of approval, inspection decal, and/or inspection rejection sticker, if any, and shall affix a "48 hour" inspection rejection sticker to the lower left corner of the windshield inside the passenger compartment of the motor vehicle. A defect that constitutes a hazard to the public safety so as to require immediate repairs to a motor vehicle shall include, but not be limited to, the items specified in N.J.A.C. 13:20-7.6(b). The "48 hour" inspection rejection sticker shall be an indication that the defect(s) deemed to constitute a hazard to the public safety must be repaired and the motor vehicle presented for re-inspection within the period of time set forth in N.J.A.C. 13:20-7.6(a).

**(n)** A motor vehicle inspection report, issued to an owner or lessee of a motor vehicle with elevated chassis height, a motor vehicle which has been modified at the direction of the New Jersey Department of Labor and Workforce Development, Division of Vocational Rehabilitation Services, a reconstructed vehicle, or a salvage motor vehicle that is subject to inspection at a State specialty inspection facility in accordance with N.J.A.C. 13:20-7.3(d), shall be marked "MUST BE REINSPECTED AT A STATE SPECIALTY INSPECTION FACILITY." When a motor vehicle inspection report is marked in this manner, a licensed private inspection facility shall neither reinspect nor certify the motor vehicle, as it must be returned to a State specialty inspection facility for such reinspection and certification.

**(o)** If a motor vehicle is presented at a licensed private inspection facility for reinspection, the private inspection facility may reinspect the motor vehicle and certify it if the rejected item(s) has been repaired, adjusted or corrected so as to conform to the inspection standards set forth in this subchapter and the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable, provided there are no obvious safety, emission-related, or OBD-related defects. If there are obvious safety, emission-related or OBD-related defects, the motor vehicle shall be subject to a complete reinspection.

**(p)** If a motor vehicle is presented at a licensed private inspection facility for reinspection and the rejected item(s) has not been repaired, adjusted or corrected so as to conform to the inspection standards set forth in this subchapter or the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable, the licensed private inspection facility shall not remove the inspection rejection sticker previously affixed to the motor vehicle by an official inspection facility, nor shall the licensed private inspection facility remove the inspection certificate of approval or inspection decal previously defaced by a licensed private inspection facility in accordance with N.J.A.C. 13:20-33.2(l) as an indication that the motor vehicle has failed inspection.

**(q)** If a motor vehicle bearing a "48 hour" inspection rejection sticker is presented at a licensed private inspection facility for reinspection and the defect(s) previously deemed to constitute a hazard to the public safety has not been repaired, the licensed private inspection facility shall not issue a "48 hour" inspection rejection sticker to replace the "48 hour" inspection rejection sticker previously affixed to the motor vehicle.

**(r)** Notwithstanding (r) above, if a motor vehicle bearing a "48 hour" inspection rejection sticker is presented at a licensed private inspection facility for reinspection and the defect(s) previously deemed to constitute a hazard to the public safety has been repaired so as to conform to the inspection standards set forth in this subchapter and the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable, but another rejected item(s) not deemed to constitute a hazard to the public safety has not been repaired, adjusted or corrected so as to conform to the inspection standards set forth in this subchapter or the inspection standards established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5 or 7:27-14 and 7:27B-4, whichever are applicable, the licensed private inspection facility shall remove the "48 hour" inspection rejection sticker previously affixed to the motor vehicle and shall present the motor vehicle inspection report or inspection card for such motor vehicle to the operator thereof. The motor vehicle inspection report or inspection card shall be an indication that adjustments, corrections, or repairs to the motor vehicle must be made and the motor vehicle presented for reinspection within the period of time set forth in N.J.A.C. 13:20-7.5.

(s) Charges for initial inspections, reinspections, and repairs shall be listed separately on the inspection or repair invoice.

(t) A licensed private inspection facility shall not require, as a condition of performing the initial inspection, that any repairs, adjustments, or corrections be performed at the private inspection facility performing the inspection.

(u) Repairs, adjustments or corrections shall not be performed on a motor vehicle at the licensed private inspection facility where the motor vehicle was inspected unless the customer signs a written acknowledgment and waiver that he or she understands his or her right to have the repairs, adjustments or corrections performed elsewhere and expressly waives his or her rights. The acknowledgment/waiver shall contain at least the following information:

I understand my right to have inspection repairs, adjustments, and corrections performed elsewhere.

Customer's Signature \_\_\_\_\_ Date \_\_\_\_\_

I choose to have such inspection repairs, adjustments, and corrections performed at this facility.

Customer's Signature \_\_\_\_\_ Date \_\_\_\_\_

(v) Any motor vehicle presented for initial inspection shall undergo a complete inspection. Once the inspection has commenced it shall not be terminated until the motor vehicle is either certified or rejected. An inspection may be terminated prior to completion when the condition of the motor vehicle being inspected makes it unsafe to complete such inspection and the vehicle shall fail the inspection. These conditions include, but are not limited to:

1. Flat tire(s);
2. Excessive smoke;
3. Uncontrollable engine speed;
4. Brake system failure;
5. Inability of the vehicle to move forward and/or in reverse;
6. Major fluid leak which impairs the vehicle's ability to operate while being inspected; and
7. Inability of the vehicle to operate.

(w) A licensed private inspection facility shall not issue a replacement inspection certificate of approval or inspection decal for any motor vehicle for which the current inspection certificate of approval or inspection decal has been lost, stolen, destroyed or defaced or for any motor vehicle that has had its windshield replaced. Such a replacement inspection certificate of approval or inspection decal shall only be issued by an official inspection facility in accordance with N.J.A.C. 13:20-32.2(o).

#### **HISTORY:**

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

In (f), inserted "or Class II" following "Class I"; in (h), substituted "someone not under the direction of the licensee"



for "any other person authorized by the motor vehicle owner or lessee" and substituted "7:27B-5" for "7:27B-4"; in (q), rewrote first sentence.

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

In (c), inserted "or OBD" following "An emission"; in (f), inserted "or OBD-related" following "emission-related"; in (q), inserted ", or OBD-related" following "emission-related".

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" throughout; in (d) and (e), substituted "Motor Vehicle Commission's" for "Division of Motor Vehicles"; in (h), deleted one of the periods from the end of the second sentence; in (i), substituted "Motor Vehicle Commission" for "Division of Motor Vehicles"; and in (p), inserted "and Workforce Development".

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "General provisions; Class I, II, and III licensees". Rewrote the section.

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "General provisions; Class I, I-A, II, II-A and III licensees". Rewrote the section.

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "General provisions; Class I, II, III, IV, and V licensees". Rewrote the section.

### **§ 13:20-33.3 Credentials; private inspection facilities**

**(a)** The driver of a passenger motor vehicle presented for inspection shall possess a valid driver's license for the class of motor vehicle being operated, a valid New Jersey motor vehicle registration certificate, and a valid New Jersey insurance identification card for the motor vehicle, if applicable. Class I, II, III, IV, and V inspection facility employees shall advise motorists of such requirement.

**(b)** Certification of a motor vehicle shall not be refused because the New Jersey motor vehicle registration certificate presented by the motorist contains a typographical error(s) in the vehicle identification number, provided the make, year and license plate number of the motor vehicle set forth on the registration certificate are accurate.

**(c)** The driver of a commercial motor vehicle presented for inspection shall present a valid driver's license for the class of motor vehicle being operated, a valid New Jersey motor vehicle registration certificate, and a valid New Jersey insurance identification card for the motor vehicle, if applicable.

**(d)** Certification of a commercial motor vehicle shall be refused because the driver's license for the class of motor vehicle being operated, New Jersey motor vehicle registration certificate, or insurance identification card presented by the motorist contains errors, is altered, or is missing.

#### **HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

Inserted designation (a); and added (b).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Credentials; Class I and II licensees". In (b), deleted a comma following "year" and deleted the last sentence.

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Credentials; Class I, I-A, II and II-A licensees". Rewrote (a); and added (c) and (d).

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Credentials; Class I, II, III, IV, and V licensees".

### **§ 13:20-33.4 License plates; private inspection facilities**

**(a)** A motor vehicle shall not be certified unless at least one of the license plates is in the possession of the operator when the motor vehicle is presented for inspection.

**(b)** Certification of a passenger motor vehicle shall not be refused because the following requirements are not met; however, the motorist shall be advised to have the condition corrected:

- 1.** The license plates shall be clear and distinct and free from grease, dirt, or other blurring material so that they are plainly visible at all times of the day and night;
- 2.** The license plates shall be securely attached to the front and rear of the motor vehicle, respectively;
- 3.** The license plates shall be displayed not less than 12 inches nor more than 48 inches from the ground in a horizontal position, right side up and right side out; provided, however, that the rear license plate may be displayed more than 48 inches from the ground on tank trucks, trailers and other commercial vehicles carrying inflammable liquids and on sanitation vehicles which are used to collect, transport and dispose of garbage, solid wastes and refuse;
- 4.** The letters and/or numbers on the license plates shall agree with the letters and/or numbers on the registration certificate of the motor vehicle;
- 5.** A license plate shall not be obstructed by a trailer hitch, snow plow bracket, bumper, bumper guard, sign, mounting bolt head, reflector, or by any other device or material;
- 6.** The license plates shall not be covered by glass, plastic, or similar material; or
- 7.** The license plates shall not be bent, illegible, or defaced.

**(c)** Certification of a commercial motor vehicle shall be refused if the following requirements are not met:

- 1.** The license plates shall be clear and distinct and free from grease, dirt, or other blurring material, so that they are plainly visible at all times of the day and night;
- 2.** The license plates shall be securely attached to the front and rear of the motor vehicle;
- 3.** The license plates shall be displayed not less than 12 inches nor more than 48 inches from the ground in a horizontal position, right side up, and right side out; provided, however, that the rear license plate may be displayed more than 48 inches from the ground on tank trucks, trailers, and other commercial vehicles carrying inflammable liquids and on sanitation vehicles that are used to collect, transport, and dispose of garbage, solid wastes, and refuse;

4. The letters and/or numbers on the license plates shall agree with the letters and/or numbers on the registration certificate of the motor vehicle;
5. A license plate shall not be obstructed by a trailer hitch, snow plow bracket, bumper, bumper guard, sign, mounting bolt head, reflector, or by any other device or material;
6. The license plates shall not be covered by glass, plastic, or similar material; and
7. The license plates shall not be bent, illegible, or defaced.

#### **HISTORY:**

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

In (b)8, substituted "Registration" for "The registration", inserted ", which may be" following "decal(s)", substituted "Motor Vehicle Commission" for "Division" and inserted ", if issued," following "shall".

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

In (a), substituted "unless at least one of" for "if" and "is" for "are not" following "license plates" and deleted ", or if the letters and/or numbers on the license plates are illegible" from the end; and in (b)7, inserted ", illegible,".

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "License plates; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "License plates; Class I, I-A, II and II-A licensees". In the introductory paragraph of (b), inserted "passenger"; in (b)6, inserted "or" at the end; in (b)7, substituted a period for "; or" at the end; deleted (b)8; and added (c).

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "License plates; Class I, II, IV, and V licensees".

#### **§ 13:20-33.5 Commercial vehicle inspection: steering and suspension**

(a) The suspension system shall consist of the basic elements originally provided by the motor vehicle manufacturer and shall be geometrically arranged in accordance with the manufacturer's specifications. No suspension system component shall be replaced unless the replacement component meets or exceeds the quality and performance standards established by the vehicle manufacturer. The motor vehicle shall have a suspension system that allows movement between the unsprung axles and wheels and the chassis body and shall be equipped with a shock-absorbing device at each wheel location. The suspension system shall be capable of providing a minimum relative motion of plus or minus two inches. When any corner of the motor vehicle is depressed and released, the damping device shall stop the vertical body motion within two cycles. The use of spacer blocks between the front axle and leaf springs is prohibited.

(b) Starting with the front wheels in the straight-ahead position, the steering wheel shall be turned in one direction until there is a perceptible movement of a front wheel. When the steering wheel is turned in the other direction, a point on the steering wheel rim shall not move more than three inches before there is a perceptible return movement of the front wheel under observation. When this test is performed on motor vehicles which are equipped with power steering, the transmission shall be in "neutral" and the engine shall be running.

(c) With the front end of the motor vehicle lifted, the front and rear of a front tire shall be grasped and an attempt made to turn the tire and wheel assembly to the right and to the left. The free movement at the front or rear of the tire shall not exceed one-quarter inch. The top and bottom of a front tire shall then be grasped and moved in and out. The movement of the tire shall not exceed the manufacturer's specifications. Both front tires shall be tested in this manner.

(d) The steering wheel shall be turned through the limit of travel in both directions. There shall be no binding or jamming in the steering wheel mechanism.

(e) The steering wheel shall be a minimum of 13 inches in diameter.

(f) There shall be no wear or breakage of components of the steering or suspension system, vehicle frame or chassis that adversely affects the safe operation of the motor vehicle. There shall be no visible caster or camber.

(g) Shock absorbers shall be properly installed and in proper operating condition. Shock absorbers shall not exhibit oil on the shock absorber housing attributable to leakage by the seal.

(h) No portion of a motor vehicle shall extend below the bottom of the wheel rim line at maximum suspension deflection.

#### **HISTORY:**

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

Rewrote (a); added (h).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Steering and suspension; Class I and II licensees". In (f), substituted ", vehicle frame or chassis that" for "which".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Steering and suspension; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: steering and suspension; Class I, II, IV, and V licensees".

#### **§ 13:20-33.6 Commercial vehicles inspection: front parking lights**

(a) Front parking lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "P," along with the manufacturer's name or trademark, are often on the lens of such lights.

(b) Front parking lights shall be white, yellow, or amber in color, and shall be securely mounted on the motor vehicle so as to reduce the likelihood of their being obscured by mud or dust thrown up by the wheels. There shall be one front parking light mounted on each side of the vertical centerline of the motor vehicle at the same height and as far apart as practicable.

(c) Certification of a commercial motor vehicle shall be refused because of the following reasons:

1. One or both of the front parking lights are inoperative; or
2. A front parking light lens is damaged or missing.

**HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

In (c), substituted "because of" for "for"; in (c)2, inserted ", broken, or missing", and deleted "; however, if the lens is cracked and a portion of the lens is separated or missing, the motor vehicle shall be refused certification" from the end.

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Front parking lights; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Front parking lights; Class I, I-A, II and II-A licensees". Rewrote the introductory paragraph of (c) and (c)2.

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicles inspection: front parking lights; Class I, II, IV, and V licensees".

**§ 13:20-33.7 Commercial vehicle inspection: glazing**

(a) All glazing used on motor vehicles manufactured after July 1, 1935, shall be an approved type of glazing which is legibly and permanently marked with the manufacturer's name, trademark, DOT number, "AS" number, or other distinctive designation under which the glazing was approved, so as to be visible when the glazing is installed in the motor vehicle. The proper type of glazing shall be used for each location in a motor vehicle. The approved locations for the various types of glazing are as follows:

1.

**AS-1:** Mandatory in windshields but may be used for any other window in a motor vehicle;

2.

**AS-2:** Anywhere except windshields;

3.

**AS-3:** Rear side windows on buses;

4. **AS-4, AS-5, AS-6 and AS-7:** Rear windows of convertibles and windows (except windshields) which can be readily removed without the use of tools;

5. **AS-8 and AS-9:** Rear windows of buses;

6.

**AS-10:** Bullet-resistant windshields;

7.

**AS-11:** Bullet-resistant windows except windshields; and

8. AS-12 and AS-13: Windows (except windshields) which can be readily removed without the use of tools.

(b) All openings in a motor vehicle which were originally manufactured with glazing shall be equipped with an approved type of glazing.

(c) Certification of a motor vehicle shall be refused if the motor vehicle is equipped with glazing which causes undue or unsafe distortion of visibility for the driver, or is equipped with unduly fractured, broken, cracked, discolored, scratched, or deteriorated glazing, or is equipped with glazing with sharp edges.

(d) A motor vehicle, other than a police vehicle or a motor vehicle for which a medical exemption certificate has been issued by the Motor Vehicle Commission in accordance with N.J.S.A. 39:3-75.1 et seq., shall not be certified which has tinted spray or plastic material added to previously approved glazing in the front windshield or windows, vents, wings, deflectors, or side shields to the immediate right or left of the driver, because such condition changes the vision and light transmission properties of the glazing in areas where driver visibility shall not be obscured or obstructed; provided, however, tinted spray or plastic material may be applied to previously approved glazing in the front windshield if such spray or material extends no lower than six inches from the top of the front windshield or such spray or material does not extend below the AS-1 marking on the front windshield.

(e) A motor vehicle shall not be certified which has defrosters of the "electric element" type installed on any window which obstruct the driver's vision. Motor vehicles manufactured with the heating element as an integral part of an approved type of glazing shall not be refused certification.

(f) The window on the driver's side shall be capable of being readily opened to permit arm direction signals to be made by the driver. The presence of approved turn signals does not satisfy this requirement except on trucks over 80 inches in width.

(g) Any motor vehicle may have the rear window and/or side windows to the rear of the driver tinted or covered in some manner so as to partially obscure the driver's vision and any motor vehicle registered for commercial purposes and constructed on a truck chassis (including noncommercial trucks registered pursuant to N.J.S.A. 39:3-8.1) may have the rear window and/or side windows to the rear of the driver painted, tinted, or constructed in some manner so as to obstruct or obscure the driver's vision, provided that the motor vehicle is equipped with an exterior mirror on each side of the motor vehicle. If glazing material remains in any of the window openings specified in this subsection, the approval markings shall be visible.

(h) A motor vehicle shall not be certified which has mirror-type material on any window.

(i) Certification of a motor vehicle shall be refused because there is a star-type break, bull's-eye-type break, or stone-type break of more than one inch in diameter in the acute area or the critical area of the windshield glazing as depicted in Appendix E of this subchapter, incorporated herein by reference.

(j) Certification of a motor vehicle shall be refused because there is a star-type break, bull's-eye-type break, or stone-type break of more than two inches in diameter in the peripheral area of the windshield glazing as depicted in Appendix F of this subchapter, incorporated herein by reference.

**(k)** Certification of a motor vehicle shall be refused because there are multiple star-type breaks, bull's-eye-type breaks, and/or stone-type breaks regardless of size in the acute area of the windshield glazing as depicted in Appendix G of this subchapter, incorporated herein by reference.

**(l)** Certification of a motor vehicle shall be refused because there is a scratch that is more than one inch in width in the acute area of the windshield glazing or a crack that is more than six inches in length in the acute area of the windshield glazing as depicted in Appendix H of this subchapter, incorporated herein by reference.

**(m)** Certification of a motor vehicle shall be refused because the windshield glazing has multiple cracks and/or scratches as depicted in Appendix I of this subchapter, incorporated herein by reference.

**(n)** Certification of a motor vehicle shall be refused because there are multiple star-type breaks, bull's-eye-type breaks, and/or stone-type breaks of more than one inch in diameter per break in the critical area and/or the peripheral area of the windshield glazing as depicted in Appendix J of this subchapter, incorporated herein by reference.

**(o)** Certification of a motor vehicle shall be refused because there is a crack or scratch of more than six inches in length that extends from the peripheral area of the windshield glazing through the critical area of the windshield glazing into the acute area of the windshield glazing as depicted in Appendix K of this subchapter, incorporated herein by reference.

**(p)** Certification of a motor vehicle shall be refused because the tempered glass has been etched, except that the vehicle identification number and/or manufacturer's logo may be etched on the tempered glass provided that the area of the tempered glass that has been etched does not exceed two square inches.

**(q)** Certification of a motor vehicle shall not be refused because the star-type break, bull's-eye-type break, stone-type break, crack, or scratch is less than the diameter, width, or length specified in (i) through (o) above; however, the motorist shall be advised to have the defect corrected.

#### **HISTORY:**

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

Rewrote (d); in (g), inserted the second sentence.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" in (d).

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

In (f), deleted "buses and" preceding "trucks"; in (g), deleted the second sentence; and added (i) through (q).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Glazing; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Glazing; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: glazing; Class I, II, IV, and V licensees".

### **§ 13:20-33.8 Commercial vehicle inspection: obstruction to driver's vision**

(a) No accessory or other object shall be mounted in such a manner as to interfere with the driver's vision.

(b) Signs, posters, stickers or other non-transparent material shall not be placed upon the windshield, wings, deflectors, side shields or front side windows of any motor vehicle; provided, however, an inspection certificate of approval, inspection decal, inspection rejection sticker, an automatic vehicle identification system transponder approved by the Chief Administrator in accordance with N.J.A.C. 13:20-10 or any other sticker approved by the Chief Administrator, is permitted.

(c) Certification of a commercial motor vehicle shall not be refused because a sign, poster, sticker, or other non-transparent material has been affixed to the windshield or front side window of a motor vehicle, provided the location of such sign, poster, sticker, or other non-transparent material does not obstruct the driver's vision. However, the motorist shall be advised to have the condition corrected.

(d) A commercial motor vehicle shall not be certified which has an air scoop on the engine hood if the scoop is so high that it obstructs more than a three inch high area of the windshield glass. The height of the obstructed area of the windshield glass shall be measured by placing a straight edge on the top of the scoop and holding the straight edge in a level position with one end contacting the windshield glass.

#### **HISTORY:**

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (b).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Obstruction to driver's vision; Class I and II licensees". In (b), deleted a comma following "stickers", "shields" and "N.J.A.C. 13:20-10", and substituted "however, an" for "however, the" and "inspection decal" for "certificate of waiver"; added new (c); and recodified former (c) as (d).

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Obstruction to driver's vision; Class I, I-A, II and II-A licensees". In (c) and (d), inserted "commercial"; and in (c), inserted a comma following both occurrences of "sticker".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: obstruction to driver's vision; Class I, II, IV, and V licensees".

### **§ 13:20-33.9 Commercial vehicle inspection: horn**

(a) Certification of a commercial motor vehicle shall be refused for any of the following reasons:

1. A horn which is inoperable;
2. A horn which is not audible under normal conditions from a distance of not less than 200 feet;
3. A horn which is not securely fastened to the motor vehicle;
4. A horn which has a broken button or switch, or a horn which does not have a button or switch. (For example, a horn which is activated by grounding a bare wire shall not be certified.);



5. A horn which has an activating button or switch beyond the reach of the driver;
6. A horn button which is located in a place that is not readily conspicuous to the driver, or a horn button which requires the driver to take his or her eyes off of the road to activate the horn;
7. A horn ring which is broken so as to be likely to cause injury or to snag clothing; or
8. A motor vehicle which is equipped with a siren, whistle, or bell (except an authorized emergency vehicle or unless a permit for same has been issued by the Chief Administrator in accordance with N.J.A.C. 13:24); provided, however, that any motor vehicle may be equipped with a theft alarm signal device which is installed so that it cannot be used by the driver as an ordinary warning signal.

(b) Certification of a motor vehicle shall not be refused for the following reasons; however, the motorist shall be advised to have the condition corrected:

1. A horn which emits an unreasonably loud or harsh sound. An unreasonably loud horn, such as an air horn, is permitted on a motor vehicle, provided the motor vehicle is also equipped with a standard horn for use in residence or business districts; or
2. A horn which can only be sounded by a portion of the horn activation device.

#### **HISTORY:**

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (a)8.

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Horn; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Horn; Class I, I-A, II and II-A licensees". In the introductory paragraph of (a), inserted "commercial".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: horn; Class I, II, IV, and V licensees".

#### **§ 13:20-33.10 Commercial vehicle inspection: windshield wipers**

(a) Every commercial motor vehicle having a windshield shall be equipped with at least one windshield wiper in proper operating condition to provide clear vision for the driver. A commercial motor vehicle manufactured with only one windshield wiper shall have the wiper so located that it cleans the portion of the windshield directly in front of the driver in order for the driver to safely operate the motor vehicle.

(b) If a commercial motor vehicle was originally manufactured with two windshield wipers, both wipers shall operate properly.

(c) A windshield wiper shall be capable of operating at a speed necessary to provide the driver a clear view ahead under all conditions of weather.

(d) Windshield wiper blades shall not be damaged, hardened, deteriorated, missing, or of an improper type (such as a blade designed for a flat windshield installed on a curved windshield), or of an improper size.

(e) A windshield wiper blade shall be held against the windshield with adequate pressure to provide the driver a clear view ahead under all conditions of weather.

(f) A windshield wiper shall clean the full area of the windshield for which it was designed.

(g) A windshield wiper control shall be constructed and installed as to be operated or controlled by the driver and shall be in proper operating condition.

**HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Windshield wipers; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Windshield wipers; Class I, I-A, II and II-A licensees". In (a) and (b), inserted "commercial" throughout.

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: windshield wipers; Class I, II, IV, and V licensees".

**§ 13:20-33.11 Commercial vehicle inspection: clearance lights**

(a) Clearance lights are lights which show to the front and rear of the vehicle, respectively, mounted on a permanent part of the vehicle as near as practical to the upper left and right extreme edges so as to indicate the overall width and height of the vehicle.

(b) A truck or bus 80 inches or more in width manufactured after January 1, 1965, shall be equipped with two amber clearance lights on the front of the vehicle and two red clearance lights on the rear of the vehicle.

(c) Clearance lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letters "P1" or "P2" or "PC," along with the manufacturer's name or trademark, are on the lens of such lights in most cases.

(d) Every clearance light shall be permanently and securely mounted on a permanent part of the vehicle.

(e) A combination clearance and side-marker light is a single light which fulfills the requirements of both a clearance light and a side-marker light.

**HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Clearance lights; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Clearance lights; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: clearance lights; Class I, II, IV, and V licensees".

### **§ 13:20-33.12 Commercial vehicle inspection: turn signals and hazard warning signals**

(a) Every commercial motor vehicle shall be equipped with two front and two rear turn signals, except that a passenger vehicle manufactured before July 2, 1954, is not required to be equipped with turn signals. When any motor vehicle, regardless of the date of its manufacture, is equipped with turn signals, the turn signals shall be in proper operating condition.

(b) All turn signal and hazard warning signal systems including lights, flashers and operating units shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE," along with the manufacturer's name and trademark, are often on such devices. In the case of front and rear turn signal lights, the letter "I" or the letter "D" is often on the lens of such lights.

(c) Front turn signal and hazard warning signal lights shall be mounted on each side of the vertical centerline at the same level and as widely spaced laterally as practical. Front turn signal and hazard warning signal lights shall emit a flashing white or amber light visible for a distance of 500 feet.

(d) Rear turn signal and hazard warning signal lights shall be mounted on each side of the vertical centerline at the same level and as widely spaced laterally as practical. Rear turn signal and hazard warning signal lights shall emit a flashing red or amber light visible for a distance of 500 feet.

(e) All turn signal lights shall be permanently and securely mounted in such a manner so as to reduce the likelihood of their being obscured by mud or dust thrown up by the wheels.

(f) A turn signal light shall not be obstructed by any part of the chassis, body, or bumper, or by any type of add-on device or material if such obstruction reduces the visible area of the turn signal light to less than three and one-half square inches on a passenger automobile, truck, bus, or jitney which is less than 80 inches in overall width, or reduces the visible area of the turn signal light to less than 12 square inches on a truck, bus, or jitney which is 80 inches or more in overall width.

(g) Turn signal lights shall flash from 50 to 130 times per minute. The "on" period of the flashes shall be long enough to permit the bulb filaments to reach full brightness.

(h) All turn signal light systems and components shall be in proper operating condition. Certification of a motor vehicle shall not be refused because a turn signal light has a cracked, broken, or missing lens, provided no white light shows to the rear of the motor vehicle. However, the motorist shall be advised to have the defect corrected.

#### **HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

In (h), inserted ", broken, or missing", and deleted "and no portion of the lens is missing" at the end of the second sentence.

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Turn signals and hazard warning signals; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Turn signals and hazard warning signals; Class I, I-A, II and II-A licensees". In (a), substituted "commercial motor vehicle" for ", other than a noncommercial motorcycle,".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: turn signals and hazard warning signals; Class I, II, IV, and V licensees".

### **§ 13:20-33.13 Commercial vehicle inspection: reflectors**

- (a) Reflectors are devices designed and used on vehicles to give an indication to an approaching driver by reflected light.
- (b) Reflectors shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "A" (for Class A reflectors) or the letter "B" (for Class B reflectors), along with the manufacturer's name or trademark, are on such reflectors in most cases.
- (c) Passenger vehicles manufactured before July 2, 1954, shall have one Class A or Class B red reflector mounted on the rear of the vehicle.
- (d) Passenger automobiles manufactured after July 1, 1954, shall have two Class A red or two Class B red reflectors mounted on the rear of the vehicle on each side of the vertical centerline at the same level and as widely spaced laterally as practical.
- (e) All passenger automobiles with commercial registration and all trucks and buses shall have two Class A red reflectors mounted on the rear of the vehicle on each side of the vertical centerline at the same level and as widely spaced laterally as practical.
- (f) A truck or bus 80 inches or more in width manufactured after January 1, 1965, shall have one Class A amber reflector mounted on each side of the vehicle as far to the front as practicable and one Class A red reflector mounted on each side of the vehicle as far to the rear as practicable.
- (g) The mounted height of a reflector shall be not less than 15 inches nor more than 60 inches from the level surface upon which the vehicle stands. Reflectors shall be permanently and securely mounted on a permanent part of the vehicle.
- (h) Any reflector, otherwise properly mounted, may be securely installed on flexible strapping or belting provided that under conditions of normal operation it reflects light in the required direction.
- (i) The mounted height of a reflector shall be measured from the center of the reflector to the level surface upon which the vehicle stands.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Reflectors; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Reflectors; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: reflectors; Class I, II, IV, and V licensees".

### **§ 13:20-33.14 Commercial vehicle inspection: identification lights**

(a) Identification lights are used in groups of three in a horizontal row which show to the front and rear of a motor vehicle, respectively, and have light centers spaced not less than six inches nor more than 12 inches apart.

(b) A truck or bus 80 inches or more in width manufactured after January 1, 1965, shall be equipped with three amber identification lights on the front of the vehicle and three red identification lights on the rear of the vehicle. If the cab is not more than 42 inches wide at the front roof line, a single identification light at the centerline of the cab shall be deemed to comply with the requirements for front identification lights.

(c) Identification lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letters "P" or "P2," along with the manufacturer's name and trademark, are on the lens of such lights in most cases.

(d) Every identification light shall be permanently and securely mounted on a permanent part of the vehicle as close as practical to the vertical centerline and the top of the vehicle. No part of front identification lights or their mountings shall extend below the top of the vehicle windshield.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Identification lights; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Identification lights; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: identification lights; Class I, II, IV, and V licensees".

### **§ 13:20-33.15 Commercial vehicle inspection: side-marker lights**

(a) Side-marker lights are lights on the left and right sides near the front and rear of a motor vehicle that show to the side and are intended to indicate vehicle length.

**(b)** A truck or bus 80 inches or more in width manufactured after January 1, 1965, shall be equipped with one amber side-marker light mounted on each side at or near the front of the vehicle and one red side-marker light mounted on each side at or near the rear of the vehicle. Side-marker lights shall be of a type approved as meeting the standards of the United State Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letters "P1" or "P2" or "PC," along with the manufacturer's name or trademark, are on the lens of such lights in most cases.

**(c)** Every side-marker light shall be permanently and securely mounted on a permanent part of the vehicle. Side-marker lights may be mounted at optional height on the side of the vehicle.

**(d)** A combination clearance and side-marker light is a single light which fulfills the requirements of both a clearance light and a side-marker light.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Side-marker lights; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Side-marker lights; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: side-marker lights; Class I, II, IV, and V licensees".

#### **§ 13:20-33.16 Commercial vehicle inspection: taillights and license plate light**

**(a)** Every motor vehicle, other than a motorcycle, shall be equipped on the rear with at least two red taillights and at least two red reflectors, one at each side of the vertical centerline at the same height and as far apart as practicable, except that a passenger vehicle manufactured before July 2, 1954, may be equipped with one red taillight and one red reflector.

**(b)** Taillights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "T," along with the manufacturer's name or trademark, are often on the lens of such lights.

**(c)** Taillights shall exhibit a red light visible from a distance of 500 feet to the rear of the vehicle.

**(d)** Taillights shall be permanently and securely mounted on a permanent part of the vehicle. The mounted height of taillights, as measured from the center of the lens to the level surface upon which the vehicle stands, shall be not less than 15 inches nor more than 72 inches. On any vehicle designed for carrying flammable liquids as cargo, the taillights may be mounted higher than 72 inches. When two taillights are required, they shall be mounted at the same level and spaced as far apart laterally as practical.

**(e)** Certification of a motor vehicle shall not be refused because a taillight has a cracked lens, provided no white light shows to the rear of the motor vehicle and no portion of the lens is missing. However, the motorist shall be advised to have the defect corrected.

(f) If a motor vehicle is equipped with two or more taillights on each side, it shall not be refused certification because some of the taillights are not operative, provided at least one taillight on each side of the motor vehicle is operative. However, the motorist shall be advised to have the defect corrected.

(g) Certification of a motor vehicle shall not be refused because the license plate light is missing, inoperative, or does not operate properly; however, the motorist shall be advised to have the defect corrected. License plate lights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "L," along with the manufacturer's name or trademark, are often on the lens of such lights.

#### **HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

In (g), rewrote the first sentence.

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Taillights and license plate light; Class I and II licensees". In (c), deleted the last sentence.

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Taillights and license plate light; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: taillights and license plate light; Class I, II, IV, and V licensees".

#### **§ 13:20-33.17 Commercial vehicle inspection: stoplights**

(a) Every motor vehicle, other than a motorcycle, shall be equipped on the rear with at least two stoplights, one on each side of the vertical centerline at the same height and as far apart as practicable, except that a passenger vehicle manufactured before July 2, 1954, may be equipped with one stoplight. All passenger automobiles manufactured on or after September 1, 1985, shall, in addition, be equipped with a high-mounted rear stoplight on the vertical centerline. All multipurpose passenger vehicles, trucks, and buses whose overall width is less than 80 inches and whose GVWR is 10,000 pounds or less, manufactured on or after September 1, 1993, shall, in addition, be equipped with a high-mounted rear stoplight on the vertical centerline. All multipurpose passenger vehicles, trucks, and buses whose overall width is less than 80 inches and whose GVWR is 10,000 pounds or less and whose vertical centerline, when the vehicle is viewed from the rear, is not located on a fixed body panel but separates one or two moveable body sections, such as doors, and which lacks sufficient space to install a single high-mounted stoplight on the centerline above such body sections, and which is manufactured on or after September 1, 1993, shall, in addition, be equipped with two high-mounted rear stoplights.

(b) All stoplights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers. The letters "SAE" and the letter "S," along with the manufacturer's name or trademark, are often on the lens of such lights.

(c) Stoplights shall exhibit a red or amber color and shall be visible from a distance of 500 feet to the rear of the vehicle when activated by application of the brake. The stoplights shall not be obstructed by any part of the chassis, body, or bumper, or by any type of add-on device or material.

(d) Stoplights shall be permanently and securely mounted on a permanent part of the vehicle. Certification of a motor vehicle shall not be refused because a stoplight has a cracked lens, provided no white light shows to the rear of the motor vehicle and no portion of the lens is missing. However, the motorist shall be advised to have the defect corrected.

(e) If a motor vehicle is equipped with two or more stoplights on each side, it shall not be refused certification because some of the stoplights are not operative, provided at least one stoplight on each side of the motor vehicle is operative. However, the motorist shall be advised to have the defect corrected.

(f) Certification of a motor vehicle required to be equipped with a high-mounted rear stoplight(s) shall not be refused because the high-mounted rear stoplight(s) is missing, obstructed, inoperative, or does not operate properly, provided at least one stoplight on each side of the motor vehicle is operative. However, the motorist shall be advised to have the defect corrected.

(g) Certification of a motor vehicle equipped with a high-mounted rear stoplight shall not be refused because the stoplight is so wired that it illuminates when the turn signal lights are activated; however, the motorist shall be advised to have the defect corrected.

(h) If the high-mounted rear stoplight is mounted inside the motor vehicle, means shall be provided to minimize reflections from the light upon the rear window glazing that may be visible to the driver when viewed in the interior rear view mirror. Certification of a motor vehicle equipped with such a high-mounted rear stoplight shall not be refused because adequate means are not provided to minimize such reflections; however, the motorist shall be advised to have the condition corrected.

#### **HISTORY:**

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

Added (h).

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

In (c), deleted ", including high-mounted rear stoplights," preceding "shall not"; and rewrote (f) through (h).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Stoplights; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Stoplights; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: stoplights; Class I, II, IV, and V licensees".

#### **§ 13:20-33.18 Commercial vehicle inspection: wheels**

(a) Wheels shall turn freely and the lateral or radial runout of the rim bead shall not exceed the motor vehicle manufacturer's specifications.



(b) Wheels shall be securely mounted and there shall be no visible cracks, elongated bolt holes, broken bolts, missing bolts or nuts, indication of repair by welding, or other defects which adversely affect the safe operation of the motor vehicle.

**HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Wheels; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Wheels; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: wheels; Class I, II, IV, and V licensees".

**§ 13:20-33.19 Commercial vehicle inspection: tires**

(a) The tread on each front tire of a motor vehicle that is registered as a commercial motor vehicle pursuant to N.J.S.A. 39:3-20 or that is a bus that has been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission or that is a taxicab, limousine, or jitney shall not be less than 4/32 of an inch deep. The tread on each rear tire of a motor vehicle that is registered as a commercial motor vehicle pursuant to N.J.S.A. 39:3-20 or that is a bus that has been issued passenger, governmental, no fee, or commercial vehicle license plates by the Motor Vehicle Commission or that is a taxicab, limousine, or jitney shall not be less than 2/32 of an inch deep.

(b) Tires shall be free from chunking, bumps, knots, or bulges evidencing cord, ply, or tread separation from the casing or other adjacent materials. Tire cords or belting materials shall not be exposed.

(c) There shall not be any mismatch in nominal tire size, construction, or profile between tires on the same axle, or any deviation from the motor vehicle manufacturer's tire recommendations. Tire tread shall not protrude beyond the fenders.

(d) Tires on motor vehicles registered for use on a public highway shall not be marked "FOR FARM USE ONLY," "OFF HIGHWAY USE ONLY" or "FOR RACING USE ONLY." Tires which were originally manufactured with extra undertread material and are marked "REGROOVABLE" may be regrooved below the original tread depth.

(e) Studded tires may not be used on a public highway in New Jersey earlier than November 15 or later than April 1 of any winter season. Certification of a motor vehicle shall not be refused because of the improper use of studded tires; however, the motorist shall be advised to have the condition corrected.

**HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Tires; Class I and II licensees". Added new (c); and recodified former (c) through (f) as (d) through (g).

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Tires; Class I, I-A, II and II-A licensees". Rewrote the section.  
Amended by R.2016 d.050, effective May 16, 2016.  
See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).  
Section was "Commercial vehicle inspection: tires; Class I, II, IV, and V licensees".

### **§ 13:20-33.20 Vehicle inspection: exhaust system**

(a) Passenger vehicles, commercial vehicles, or passenger vehicle transportation shall not be certified if there is evidence of tampering with the emission control apparatus.

(b) In the case of commercial vehicle inspection, the following shall not be certified if:

1. An exhaust system in which the muffler is missing, defective, or not in proper operating condition;
2. An exhaust system if there is evidence of tampering with emission control apparatus in violation of N.J.A.C. 7:27-15.7;
3. An exhaust system if there is evidence of exhaust gas leakage at any point in the system;
4. An exhaust system if there is a muffler cut-out, muffler bypass or any similar device, or any change or modification to the exhaust system which causes excessive noise;
5. An exhaust system which has loose or worn components or has been patched; provided, however, that an exhaust system which has been properly welded and is in good condition may be certified;
6. An exhaust system in which all parts are not properly mounted. The entire exhaust system shall be in such condition that it cannot burn or cause injury to any person. Exposed exhaust pipes, stacks, or other parts of the exhaust system which might burn a person or cause injury shall be protected in a permanent and effective manner; or
7. An exhaust system installed in a manner that any part thereof passes through the passenger compartment of the motor vehicle. The exit point for the exhaust gas shall be located so that dangerous amounts of exhaust gas will not enter the passenger compartment under normal vehicle use even with the windows open or the outside air inlets to the heater or air conditioner open. A replacement exhaust system is acceptable provided it is specifically manufactured for the motor vehicle by a company which guarantees that the exhaust system has a safe exhaust gas exit location.

(c) Notwithstanding (a) and (b) above, certification of a motor vehicle shall not be refused because a muffler has drain holes that were placed in it at the time of manufacture for drainage purposes.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.  
See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).  
Section was "Exhaust system; Class I and II licensees".  
Amended by R.2014 d.008, effective January 6, 2014.  
See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).  
Section was "Exhaust system; Class I, I-A, II and II-A licensees".  
Amended by R.2016 d.050, effective May 16, 2016.  
See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).  
Section was "Commercial vehicle inspection: exhaust system; Class I, II, IV, and V licensees". Rewrote the section.

**§ 13:20-33.21 Prescribed emission or on-board diagnostics test(s)**

(a) With respect to each gasoline-fueled or bi-fueled motor vehicle that is presented for inspection, a licensed private inspection facility shall conduct the emission or OBD test(s) specified for such motor vehicle at N.J.A.C. 13:20-43.8 in accordance with the inspection standards and test procedures established by the Department of Environmental Protection at N.J.A.C. 7:27-15 and 7:27B-5.

(b) With respect to each OBD-equipped and OBD-eligible diesel-fueled motor vehicle with model year 1997 or newer having a GVWR of 8,500 pounds or less that is presented for inspection, a licensed private inspection facility shall conduct a visible smoke test and an OBD test specified for such motor vehicle in accordance with the inspection standards and test procedures established by the Department of Environmental Protection at N.J.A.C. 7:27-14 and 7:27B-4. An OBD inspection shall not be required pursuant to this subsection for any OBD-equipped diesel-fueled motor vehicle that is not OBD-eligible, as shall be determined by the Department of Environmental Protection.

(c) With respect to each diesel-fueled motor vehicle that is registered as a commercial vehicle with model year 1996 or older having a GVWR of 8,500 pounds or less that is presented for inspection, a licensed private inspection facility shall conduct a visible smoke test specified for such motor vehicle in accordance with the inspection standards and test procedures established by the Department of Environmental Protection at N.J.A.C. 7:27-14 and 7:27B-4.

**HISTORY:**

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

Inserted "or OBD" following "emission".

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Prescribed emission or on-board diagnostics test(s); Class I and II licensees". Inserted designation (a); in (a), inserted "that is"; and added (b) through (d).

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Prescribed emission or on-board diagnostics test(s); Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: prescribed emission or on-board diagnostics test(s); Class I, II, IV, and V licensees". In (c), inserted "that is registered as a commercial vehicle"; and deleted (d).

**§ 13:20-33.22 Emission test equipment and on-board diagnostics inspection equipment maintenance**

The emission test equipment and OBD inspection equipment shall be maintained in accordance with the manufacturer's requirements and the general instructions for all tests adopted by the Department of Environmental Protection at N.J.A.C. 7:27B-4.2(b) and 5.2.

**HISTORY:**

Administrative change.

See: 33 N.J.R. 4388(a).

Amended by R.2003 d.206, effective May 19, 2003.

See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).

Inserted "and OBD inspection equipment" following "emission test equipment" and deleted "and calibrated" preceding "maintained".

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Emission test equipment and on-board diagnostics inspection equipment maintenance; Class I and II licensees". Inserted "and 4.2(b)".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Emission test equipment and on-board diagnostics inspection equipment maintenance; Class I, I-A, II and II-A licensees". Substituted "7:27B-4.2(b) and 5.2" for "7:27B-5.2 and 4.2(b)".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: emission test equipment and on-board diagnostics inspection equipment maintenance; Class I, II, IV, and V licensees".

### **§ 13:20-33.23 Commercial vehicle inspection: headlights**

(a) Every motor vehicle, other than a motorcycle, shall be equipped with at least two headlights mounted at the same level with an equal number on each side of the front of the motor vehicle. Headlights shall emit only a white light and shall be tested for proper operation. Headlights shall not be tested for aim unless they have been previously rejected at inspection for one of the reasons set forth in this section. If headlight aim testing is required, the headlight aim shall meet the specifications listed below:

**1. High beam aim specifications:**

- i.** Vertical aim: From four inches above to five inches below;
- ii.** Horizontal aim: From six inches right to six inches left.

**2. Low beam aim specifications:**

- i.** Vertical aim: From three inches below to 14 inches below;
- ii.** Horizontal aim: From eight inches right to 23 inches right.

(b) The headlight aim specifications set forth in (a) above refer to the location of the "hot spot" (the center of the high intensity portion of the beam pattern) based on a distance of 25 feet from the test screen. The vertical aim specifications indicate the distance the "hot spot" shall be above or below the horizontal centerline straight ahead of the headlight center. The horizontal aim specifications indicate the distance the "hot spot" shall be to the right or to the left of the vertical centerline straight ahead of the headlight center.

(c) SAE visual inspection limits for the vertical aim of the "hot spot" of Type 1 headlight units are from four inches above to four inches below, and for the horizontal aim of the "hot spot" of Type 1 headlight units are from four inches right to four inches left.

(d) SAE visual inspection limits for the top edge of the high intensity zone of Type 2 headlight units are from four inches above to four inches below, and for the left edge of the high intensity zone of Type 2 headlight units are from four inches left to four inches right.

- (e) If headlight aim is inspected with a mechanical aimer, the inspection specifications for both Type 1 and Type 2 headlight units shall be four inches above to four inches below and four inches left to four inches right.
- (f) Headlights shall be properly installed so that their beams are readily adjustable, both vertically and horizontally, and their aim is not grossly misaligned nor readily disturbed by ordinary vehicle operation.
- (g) Headlights shall be of a type approved as meeting the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers.
- (h) A motor vehicle having a headlight with a missing lens shall not be certified; provided, however, that a motor vehicle shall not be refused certification because the headlight has a bull's-eye-type hole that has been repaired in a proper manner.
- (i) There shall be no colored spray on the lens, visor, reflector, or other attachment that is not included in the standards of the United States Department of Transportation or, for motor vehicles manufactured prior to the adoption of such standards, the standards of the Society of Automotive Engineers.
- (j) On motor vehicles equipped with four headlights, the Type 2 headlight shall be mounted above or to the outside of the Type 1 headlight.
- (k) Retractable headlights shall be in the fully open position when the headlights are tested.
- (l) Motor vehicles which are used for plowing snow may have an extra set of headlights mounted above the plow. Switching shall be provided so that either set of headlights may be used, but not both.
- (m) Certification of a motor vehicle shall not be refused because a headlight lens is cracked or broken or there is excessive moisture therein, provided the headlight is operational and emits a white light. However, the motorist shall be advised to have the defect corrected.
- (n) Certification of a motor vehicle shall not be refused because the light intensity of a headlight is weak, provided the headlight is operational and emits a white light. However, the motorist shall be advised to have the defect corrected.
- (o) Certification of a motor vehicle shall not be refused because there is a brush guard, grille, or cover over or in front of a headlight, provided the headlight is operational and emits a white light. However, the motorist shall be advised to have the condition corrected.
- (p) A motor vehicle shall not be refused certification because of a missing headlight rim or rims; however, the motorist shall be advised to have the defect corrected.

#### **HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

Rewrote (h); in (i), deleted "auxiliary equipment, such as" preceding "colored" and the comma after "spray" and substituted "that" for "which"; in (j), deleted the second and third sentences; added (m) through (o); and recodified former (m) as (p).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Headlights; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Headlights; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: headlights; Class I, II, IV, and V licensees".

### **§ 13:20-33.24 Commercial vehicle inspection: rear view mirrors**

(a) A motor vehicle shall not be certified if it is not equipped with at least one rear view mirror. A passenger automobile manufactured after January 1, 1965, shall be equipped with an interior mirror and an exterior mirror on the driver's side.

(b) A commercial motor vehicle manufactured after January 1, 1965, shall be equipped with an interior mirror and an exterior mirror on the driver's side, except that every such vehicle so constructed or loaded as to obstruct or obscure a rear view from an interior mirror shall, in lieu of an interior mirror, be equipped with an exterior mirror on the side of the vehicle opposite the driver's side.

(c) Mirrors shall be securely mounted and located and adjusted so as to provide the driver adequate rear view vision. Mirrors shall not obstruct the driver's forward vision. Concave or convex mirrors shall not be used in place of the interior mirror or the driver's side exterior mirror.

(d) Certification of a motor vehicle shall not be refused because a mirror is discolored, peeled, tarnished, cracked, broken, or has sharp edges, provided the mirror affords the driver adequate rear view vision. However, the motorist shall be advised to have the defect corrected.

(e) Mirrors shall be capable of adjustment to a fixed horizontal and vertical position.

#### **HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

In (d), substituted "Certification of a" for "A" and "refused because" for "certified if", and inserted ", provided the mirror affords the driver adequate rear view vision. However, the motorist shall be advised to have the defect corrected."

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Rear view mirrors; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Rear view mirrors; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: rear view mirrors; Class I, II, IV, and V licensees".

### **13:20-33.25 Commercial vehicle inspection: miscellaneous lights**

(a) All miscellaneous lights used on motor vehicles shall be of a type and color approved as meeting the standards of the Society of Automotive Engineers. The letters "SAE," along with the manufacturer's name and trademark, are often on the lens of such lights. In addition, the letters listed below often appear on the following lights:

1. Fog lights = F;
2. Spot lights = O;
3. Emergency warning lights = W or W1 or W3; or
4. Supplemental driving or passing lights = Y or Z.

**(b)** Any motor vehicle may be equipped with not more than two auxiliary driving lights mounted on the front of the vehicle at a height of not less than 12 inches nor more than 42 inches above the level surface upon which the vehicle stands. Auxiliary driving lights include, but are not limited to, fog lights, passing lights, and supplemental driving lights. Auxiliary driving lights shall be aimed in conformance with the standards of the Society of Automotive Engineers applicable to the particular type of auxiliary driving light. Auxiliary driving lights shall be properly installed so that their aim is not grossly misaligned nor readily disturbed by ordinary vehicle operation. Certification of a motor vehicle shall be refused if the aim of an auxiliary driving light is grossly misaligned.

**1.** Fog lights are auxiliary driving lights which may be used with the low beam headlights to provide general illumination ahead of a motor vehicle. A fog light shall be white, yellow, or amber in color. Approved fog lights shall meet the requirements of SAE J-583d, incorporated herein by reference.

**2.** Passing lights are also known as auxiliary low beam driving lights and are designed to supplement the lower beam of a standard headlight system. Approved lights shall meet the requirements of SAE J-582a, incorporated herein reference. Passing lights shall be wired so that they are controlled by a switch separate from the headlight switch.

**3.** Supplemental driving lights are auxiliary driving lights which may be used to supplement the upper beam of a standard headlight system. Approved lights shall meet the requirements of SAE J-581, incorporated herein by reference. Supplemental driving lights shall be wired so that they are controlled by a switch separate from the headlight switch.

**(c)** A spot light is a light which can be aimed at will. Any motor vehicle may be equipped with not more than one spot light, but the use of any such spot light for driving purposes is prohibited. The letters "SAE" and the letter "O," along with the manufacturer's name or trademark, are often on the lens of approved type spot lights. Approved spot lights shall meet the requirements of SAE J-591b, incorporated herein by reference. The Standards of the Society of Automotive Engineers (SAE) may be obtained from the Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale, PA 15096.

**(d)** Any motor vehicle may be equipped with not more than two side cowl or fender lights which shall emit a white or yellow light without glare.

**(e)** Any motor vehicle may be equipped with not more than one running board courtesy light on each side thereof which shall emit a white or yellow light without glare.

**(f)** Any motor vehicle may be equipped with one or more back-up lights, either separately or in combination with other lights. Back-up lights shall be white in color. Certification of a motor vehicle shall be refused if a back-up light is illuminated when the motor vehicle is in forward motion.

**(g)** On motor vehicles used for plowing snow, there may be auxiliary driving lights connected to either the parking light system or the low beam headlight system. If sealed beam headlight units are used for the auxiliary driving lights, they shall be wired so that the taillights will be illuminated when the auxiliary driving lights are turned on. Auxiliary turn signal lights are also permitted on such motor vehicles.

**(h)** Flashing lights are prohibited on motor vehicles (except an authorized emergency vehicle or unless a permit for same has been issued by the Chief Administrator in accordance with N.J.A.C. 13:24) except as a means for indicating right or left turns or for hazard warning signals.

(i) A motor vehicle driven by an active member in good standing of a volunteer fire company or a volunteer first aid or rescue squad may be equipped with a blue emergency warning light or lights in accordance with the requirements set forth in N.J.A.C. 13:24-5. An identification card (permit) issued pursuant to N.J.A.C. 13:24-5 shall be in the possession of the operator at all times when the blue emergency warning light or lights are displayed on a motor vehicle.

(j) A motor vehicle driven by an active member in good standing of the New Jersey Wing of the Civil Air Patrol may be equipped with a blue emergency warning light or lights in accordance with the requirements set forth in N.J.A.C. 13:24-7. A permit issued pursuant to N.J.A.C. 13:24-7 shall be in the possession of the operator at all times when the blue emergency warning light or lights are displayed on a motor vehicle.

(k) All miscellaneous lights shall be permanently and securely mounted on a permanent part of the vehicle in such a manner as to reduce the likelihood of their being obscured by mud or dirt thrown up by the wheels.

(l) Two or more lighting devices and reflectors may be combined optically, but the following combinations are prohibited:

1. A turn signal with a headlight; or
2. A clearance light with a taillight or an identification light.

(m) Motor vehicles may be equipped with other lights in addition to those which are specified in this subchapter. The manufacturer's name or trademark and the letters "SAE" often appear on the lens of such lights, along with the identification letters shown below:

1. E: Side turn signal lights (mounted on vehicle sides);
2. K: Cornering lights;
3. R: Back-up lights;
4. U: Supplemental high-mounted stop and turn signal lights;
5. V: Liquid burning emergency flares;
- 6.

**W4:** Emergency reflex reflectors; or

7.

**X:** Emergency lanterns.

(n) Except as otherwise provided in (b) and (f) above, certification of a motor vehicle shall not be refused because of noncompliance with any provision of this section; however, the motorist shall be advised to have the defect corrected.

#### **HISTORY:**

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

In (f), added the second sentence; added a new (j) and recodified former (j) through (l) as (k) through (m).

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Chief Administrator" for "Director" in (h).

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).



In (b), inserted the final sentence; in (f), substituted "Certification of a motor vehicle shall be refused if a" for "No" and "is" for "shall be"; and added (n).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Miscellaneous lights; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Miscellaneous lights; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: miscellaneous lights; Class I, II, IV, and V licensees".

### **§ 13:20-33.26 Commercial vehicle inspection: wiring and switching**

(a) Certification of a motor vehicle shall be refused for any of the following reasons:

1. The wiring is not in proper condition, is improperly installed, or is so located as to cause damage;
2. Any connection that is not secure or shows signs of corrosion;
3. The switches are not in proper condition or do not function properly;
4. Any light circuit that does not light the proper filament when the appropriate switch position is applied; or
5. Any defect in wiring and/or switching which adversely affects the lighting performance of any exterior light.

(b) Certification of a motor vehicle shall not be refused if replacement switches are present which perform the same function as the original switches, provided the safe operation of the motor vehicle is not adversely affected.

(c) Certification of a motor vehicle shall not be refused if replacement switches are present which perform the same function as the original switches but are not located in the original switch position(s), provided the safe operation of the motor vehicle is not adversely affected.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Wiring and switching; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Wiring and switching; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: wiring and switching; Class I, II, IV, and V licensees".

### **§ 13:20-33.27 Commercial vehicle inspection: headlight beam indicator light**

Certification of a motor vehicle shall not be refused because the headlight beam indicator light is inoperative or does not operate properly; however, the motorist shall be advised to have the defect corrected.

**HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Headlight beam indicator light; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Headlight beam indicator light; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: headlight beam indicator light; Class I, II, IV, and V licensees".

**§ 13:20-33.28 Commercial vehicle inspection: turn signal and hazard warning signal indicator lights**

(a) Certification of a motor vehicle shall not be refused because of an inoperative turn signal indicator light and/or an inoperative hazard warning signal indicator light; however, the motorist shall be advised to have the defect corrected.

(b) If any turn signal indicator light is not readily visible to the driver, there shall be an illuminated indicator to give the driver a clear and unmistakable indication that the turn signal system is turned "on."

(c) In motor vehicles equipped with a single turn signal indicator, a separate hazard warning signal indicator shall flash and the turn signal indicator may flash while the hazard warning signal system is turned "on."

(d) In motor vehicles equipped with right and left turn signal indicators, both indicators or separate indicators shall flash simultaneously while the hazard warning signal system is turned "on."

(e) If a separate indicator light is used for the hazard warning signal system, it shall emit a red color and have a minimum area equivalent to a one-half inch diameter circle.

**HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Turn signal and hazard warning signal indicator lights; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Turn signal and hazard warning signal indicator lights; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: turn signal and hazard warning signal indicator lights; Class I, II, IV, and V licensees".

### **§ 13:20-33.29 Commercial vehicle inspection: antenna**

Any antenna mounted on a motor vehicle shall be securely attached, so as not to swing or project in a hazardous manner. Certification of a motor vehicle shall not be refused because of an insecure antenna; however, the motorist shall be advised to have the condition corrected.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Antenna; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Antenna; Class I, I-A, II and II-A licensees". Inserted a comma following "attached".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: antenna; Class I, II, IV, and V licensees".

### **§ 13:20-33.30 Commercial vehicle inspection: body**

(a) The motor vehicle body panels, floor pan and other sections shall not be missing.

(b) Certification of a motor vehicle shall not be refused because the motor vehicle body panels, floor pan, or other sections have excessive rust; however, the motorist shall be advised to have the defect corrected.

(c) Certification of a motor vehicle shall not be refused because the motor vehicle body has rips or sharp edges, provided such rips or sharp edges do not pose a risk of injury. However, the motorist shall be advised to have the defect corrected.

#### **HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

Inserted designation (a); in (a), inserted "not" and deleted "in good condition, and shall not be rusted out or" preceding "missing", deleted the second sentence; and added (b) and (c).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Body; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Body; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: body; Class I, II, IV, and V licensees".

### **§ 13:20-33.31 Commercial vehicle inspection: bumpers**

(a) Bumpers, if present, shall be securely mounted on a motor vehicle. Front and rear bumper heights shall be in accordance with the motor vehicle manufacturer's specifications.

(b) Certification of a motor vehicle shall not be refused because a bumper has excessive rust; however, the motorist shall be advised to have the defect corrected.

(c) Certification of a motor vehicle shall not be refused because a bumper has sharp or protruding parts or edges, provided such sharp or protruding parts or edges do not pose a risk of injury. However, the motorist shall be advised to have the defect corrected.

#### **HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

Inserted designation (a); in (a), deleted "and in good condition with no sharp or protruding parts or edges which could cause injury" from the end of the first sentence; and added (b) and (c).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Bumpers; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Bumpers; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: bumpers; Class I, II, IV, and V licensees".

### **§ 13:20-33.32 Commercial vehicle inspection: doors**

(a) The motor vehicle doors and all door operating devices, handles, buttons, hinges, and latches shall be in proper operating condition. A method of opening the door from the outside is not required on motor vehicles with fabric tops which are equipped with glazing material which can be readily removed without the use of tools.

(b) Motor vehicles designed and manufactured with doors shall be equipped with doors.

(c) Motor vehicles designed and manufactured without doors shall be equipped with seat belts or a strap, chain, or restraining device of some type across the openings.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Doors; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Doors; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).  
Section was "Commercial vehicle inspection: doors; Class I, II, IV, and V licensees".

### **§ 13:20-33.33 Commercial vehicle inspection: fenders and fender flaps**

(a) The motor vehicle fenders shall be securely mounted and shall have no rips or sharp edges which could cause injuries to persons.

(b) Fenders shall cover the width of the tire tread. The rear fenders shall be designed and installed so as to prevent the wheels of the motor vehicle from throwing dirt, water, or other material onto other motor vehicles. Fender flaps may be attached to the rear fenders to provide the necessary wheel coverage.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Fenders and fender flaps; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Fenders and fender flaps; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: fenders and fender flaps; Class I, II, IV, and V licensees".

### **§ 13:20-33.34 Fuel system**

Fuel leakage at any point in the motor vehicle fuel system shall be cause for rejection. The fuel tank and piping shall be securely mounted and in proper condition and the fuel tank shall be properly capped.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Fuel system; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Fuel system; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: fuel system; Class I, II, IV, and V licensees". Deleted a comma following "condition".

### **§ 13:20-33.35 Commercial vehicle inspection: hood**

Motor vehicles shall be equipped with an engine hood. The hood shall be properly secured and latched, and all hinges, latches, and other components shall be in proper operating condition.

## **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Hood; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Hood; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: hood; Class I, II, IV, and V licensees".

## **§ 13:20-33.36 Commercial vehicle inspection: lettering**

(a) Vehicles used for commercial purposes on a street or highway, except for passenger automobiles and vehicles owned or leased by a pharmacy and utilized for the transportation or delivery of drugs, shall have conspicuously displayed on the vehicle, or on a name plate attached to the vehicle, the name of the owner, lessee, or lessor of the vehicle, and the name of the municipality in which the owner, lessee, or lessor has his or her principal place of business. Franchised public utilities and operators of fleets of 50 or more commercial vehicles shall be exempted from displaying the name of the municipality, provided that their vehicles display a corporate identification number. The sign or the name plate shall be in plain view and the lettering shall be as close as possible to three inches high. Certification of a commercial vehicle shall not be refused because the vehicle fails to display the owner's name and business address; however, the motorist shall be advised to have the condition corrected.

(b) A noncommercial truck, registered as a passenger vehicle pursuant to N.J.S.A. 39:3-8.1, is issued passenger vehicle license plates by the Motor Vehicle Commission. Such a noncommercial truck shall not have any advertising, signs, lettering, names, or addresses on its exterior, excepting trademarks and labels of the manufacturer and dealer. Certification of a noncommercial truck shall not be refused because the truck displays any type of lettering; however, the motorist shall be advised to have the condition corrected.

(c) Certification of a vehicle with a GVWR of 26,001 pounds or more shall not be refused because the GVWR is not displayed on the vehicle; however, the motorist shall be advised to have the condition corrected.

## **HISTORY:**

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" in (b).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Lettering; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Lettering; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: lettering; Class I, II, IV, and V licensees".

### **§ 13:20-33.37 Commercial vehicle inspection: ornaments**

All motor vehicle ornaments shall be free of sharp parts or edges that could cause injury to persons.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Ornaments; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Ornaments; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: ornaments; Class I, II, IV, and V licensees". Substituted "that" for "which".

### **§ 13:20-33.38 Commercial vehicle inspection: pedals**

Brake, clutch, and accelerator pedals shall have rubber pads or some other method of providing the pedals with a non-skid surface. All pedals shall be in proper operating condition.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Pedals; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Pedals; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: pedals; Class I, II, IV, and V licensees".

### **§ 13:20-33.39 Commercial vehicle inspection: racks or carriers**

A motor vehicle may be equipped with racks or carriers provided the maximum vehicle dimensional limits set forth in N.J.S.A. 39:3-84 are not exceeded and provided they do not create a dangerous condition that may cause injury to persons.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Racks or carriers; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Racks or carriers; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: racks or carriers; Class I, II, IV, and V licensees". Substituted "that" for "which".

### **§ 13:20-33.40 Commercial vehicle inspection: reflective tape**

Reflective tape of a color amber to white may be displayed on the front of a motor vehicle. Reflective tape of a color red or amber to white may be displayed on the rear of a motor vehicle.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Reflective tape; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Reflective tape; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: reflective tape; Class I, II, IV, and V licensees".

### **§ 13:20-33.41 Commercial vehicle inspection: seats**

All motor vehicle seats shall be securely mounted and free of hazardous conditions. The driver's seat shall lock securely in a position that permits the safe operation of the motor vehicle.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Seats; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Seats; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: seats; Class I, II, IV, and V licensees".

### **§ 13:20-33.42 Commercial vehicle inspection: seat belts; air bags**

(a) All motor vehicles that are required by law to be equipped with seat belts shall be in compliance with Federal Motor Vehicle Safety Standards Nos. 208 and 209, incorporated herein by reference. All motor vehicles that are required by law to be equipped with air bags shall be in compliance with Federal Motor Vehicle Safety Standard No. 208, incorporated herein by reference. Copies of the Federal Motor Vehicle Safety Standards as found in the Code of Federal Regulations (49 CFR Part 571) may be purchased from the Superintendent of Documents, United States Government Printing Office, Washington, DC 20402, (202) 783-3238.

(b) Seat belts and their anchorage units, or other restraining devices, shall be of a type approved as meeting the standards of the United States Department of Transportation or the specifications of the



Society of Automotive Engineers. The buckles and anchorage units shall be in good condition and the webbing shall not be dangerously worn or cut.

(c) Certification of a motor vehicle shall be refused if an air bag(s) has been deployed and has not been replaced with an air bag(s) that is in compliance with Federal Motor Vehicle Safety Standard No. 208, incorporated herein by reference.

**HISTORY:**

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

In (a), added the second sentence; added (c).

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

In (a), inserted "Nos." following "Standards" and "No." following "Standard", substituted "CFR" for "C.F.R.", "Chief Administrator" for "Director" and "Motor Vehicle Commission" for "Division of Motor Vehicles"; and inserted "No." following "Standard" in (c).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Seat belts; air bags; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Seat belts; air bags; Class I, I-A, II and II-A licensees". Rewrote (a).

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: seat belts; air bags; Class I, II, IV, and V licensees".

**§ 13:20-33.43 Commercial vehicle inspection: gear shift indicator**

A motor vehicle equipped with an automatic transmission shall be equipped with a gear shift indicator in proper operating condition. Certification of a motor vehicle shall not be refused because of a minor misalignment of a gear shift indicator (that is, a misalignment of not more than one-half the distance between shift positions); however, the motorist shall be advised to have the defect corrected.

**HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Gear shift indicator; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Gear shift indicator; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: gear shift indicator; Class I, II, IV, and V licensees".

### **§ 13:20-33.44 Commercial vehicle inspection: transmission**

The transmission of a motor vehicle shall operate properly and shall be capable of operating in reverse. A reverse detent mechanism shall be present and shall be in proper operating condition.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Transmission; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Transmission; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: transmission; Class I, II, IV, and V licensees".

### **§ 13:20-33.45 Commercial vehicle inspection: television, videocassette recorder, or digital video disk player; video camera; global positioning system**

**(a)** A motor vehicle shall not have a television, videocassette recorder or digital video disk player installed in such a manner that the viewing screen is visible to the driver while he or she is operating the motor vehicle.

**(b)** A motor vehicle may be equipped with a video camera or other device to enable the driver to view the exterior rear of the vehicle. Such camera or device shall not be operable when the vehicle is in forward motion.

**(c)** A motor vehicle may be equipped with a global positioning system provided such system does not obstruct the vision of the driver.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Television; Class I and II licensees". Rewrote the section.

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Television, videocassette recorder or digital video disk player; video camera; global positioning system; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: television, videocassette recorder, or digital video disk player; video camera; global positioning system; Class I, II, IV, and V licensees".

### **§ 13:20-33.46 Commercial vehicle inspection: trunk lid**

A motor vehicle trunk lid shall be capable of being securely fastened in accordance with the motor vehicle manufacturer's original design and specification.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Trunk lid; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Trunk lid; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: trunk lid; Class I, II, IV, and V licensees".

### **§ 13:20-33.47 Commercial vehicle inspection: service brakes (including service brake equalization and service brake pedal reserve)**

- (a) The inspection for motor vehicle service brake pedal reserve shall be performed as set forth in this section. "Pedal reserve" is the amount of total pedal travel left in reserve when the pedal is depressed to the brake applied position. The service brake pedal reserve test does not apply to air brake systems.
- (b) With the motor vehicle stationary and the service brake pedal depressed under a moderate foot force (that is, a force of 25 pounds for power brakes and 50 pounds for other brakes), there shall be a minimum of one-fifth of the total average pedal travel (as per the motor vehicle manufacturer's specifications) remaining. The motor vehicle engine shall be running when power brakes are tested. In the event that the adequacy of the service brake pedal reserve on a motor vehicle equipped with disc brakes is in question, the pedal reserve shall be tested when the brakes are applied while the motor vehicle is being driven. The service brake pedal reserve test is not required for motor vehicles equipped with full power (central hydraulic) brake systems or for motor vehicles with brake systems designed to operate with less than one-fifth pedal travel.
- (c) With the service brake pedal depressed to the brake applied position for 10 seconds under a foot force of approximately 125 pounds, there shall be no perceptible decrease in pedal height and, if the motor vehicle is so equipped, no illumination of the brake system failure indicator light. If a motor vehicle is so equipped, the brake system failure indicator light shall be in proper operating condition.
- (d) Brake hoses shall not be mounted so as to contact the vehicle body or chassis. Brake hoses shall not be cracked, chafed, or flattened. Protective devices, such as "rub rings," are not to be considered part of the brake hose.
- (e) Hydraulic or air brake line tubing shall be specially designed for automotive hydraulic or air brake line use. Tubing designed for gasoline or oil lines is not acceptable for use as hydraulic or air brake lines.
- (f) If the motor vehicle inspection report indicates that a motor vehicle was previously rejected for service brakes or service brake equalization, at least one front wheel of the motor vehicle shall be removed so that it can be determined whether the internal parts of the brake are in proper condition. Any

wear, breakage, or malfunctioning of the brake system which would adversely affect the safe operation of the motor vehicle shall be cause for rejection.

**(g)** The brake drum diameter or disc brake rotor thickness shall be measured. If the brake drum is embossed with a maximum safe diameter dimension or the brake rotor is embossed with a minimum safety thickness dimension, the drum or disc shall be within such specification. These dimensions will be found on motor vehicles manufactured after January 1, 1971, and may be found on motor vehicles manufactured prior to that date. If the drums and discs are not so embossed, the drums and discs shall be within the manufacturer's specifications.

**(h)** The brake lining or pad shall be visually examined, and the height of the rubbing surface of the lining or pad over the rivet heads shall be measured. The bonded lining or bonded pad thickness over the shoe surface shall be measured at the thinnest point of the lining or pad.

**(i)** The thickness of a riveted lining or pad on each brake shall be not less than 1/32 of an inch over the rivet heads. The thickness of a bonded lining or pad shall be not less than 1/32 of an inch over the brake shoe or shoe plate. Brake linings and pads shall not have cracks or breaks that extend to rivet holes except minor cracks that do not impair attachment. Drum brake linings shall be securely attached to brake shoes. Disc brake pads shall be securely attached to shoe plates.

**(j)** Backing plates and caliper assemblies shall not be deformed or cracked. Brake system parts shall not be broken, misaligned, missing, binding, or show evidence of severe wear. Automatic adjusters and other parts shall be assembled properly and installed correctly.

**(k)** The vacuum brake hoses shall be examined visually and aurally with the motor vehicle engine running. The hoses shall not be collapsed, abraded, broken, improperly mounted, or audibly leaking.

**(l)** The motor vehicle engine shall be turned off and the service brake applied several times to destroy vacuum in the system. The brake pedal shall be depressed with 25 pounds of force and, while maintaining such force, the engine started. The brake pedal shall fall slightly under force when the engine starts. This test is not applicable to motor vehicles equipped with full power (central hydraulic) brake systems, as the service brake performance test shall be considered an adequate test of system performance for such motor vehicles.

**(m)** After insuring that the tires are properly inflated, a Type 1, Type 2, or Type 3 brake performance test shall be conducted:

**1.** Type 1: If the brakes are tested on a drive-on platform or roller-type brake tester, the results shall show some brake force produced by each wheel brake and the total brake force shall be equal to at least 43.5 percent of the gross vehicle weight. This is equivalent to a deceleration of 14 feet per second, which shall produce a stop from a speed of 20 miles per hour in 30 feet. The braking force on a front wheel or on a rear wheel shall not be less than 65 percent of the braking force developed on the other front wheel or rear wheel, respectively. The service brake shall have a minimum front to rear brake ratio of 40 percent and a maximum front to rear brake ratio of 95 percent. The allowable front brake bias margin shall be 25 percent. The allowable rear brake bias margin shall be 15 percent, except that for motor vehicles having a GVWR of 7,000 pounds or more but less than 10,001 pounds, the allowable rear brake bias margin shall be 25 percent.

**2.** Type 2: The brakes may be tested with an approved accelerometer/inertia navigation type tester to determine whether the motor vehicle can stop from a speed of 20 miles per hour in 30 feet.

**3.** Type 3: If a drive-on platform brake tester or roller-type brake tester or an accelerometer/inertia navigation type tester is not utilized, the brakes shall be road tested on a level, dry, smooth, hard surface that is free of loose material, oil, or grease to determine whether the motor vehicle is able to stop from a speed of 20 miles per hour in 30 feet or less without swerving out of a 12-foot wide lane. If the private inspection facility performs a road test of the brakes, a diagram of the test location shall be provided to the Private Inspection Facility Licensing Unit of the Motor Vehicle Commission at the address specified in N.J.A.C. 13:20-44.4(a).

**(n)** If a motor vehicle is equipped with air brakes, the low pressure warning system and air brake components shall be tested for proper operation. This test includes the following:

**1.** The low pressure warning system. The engine shall be turned off when there is sufficient air pressure so that the low pressure warning signal is not illuminated. The electrical power shall be turned on and the brake pedal shall be depressed and released to reduce the air tank pressure. The low air pressure warning signal shall become illuminated before the air pressure drops to less than 60 pounds per square inch in the air tank (or, in dual air systems, in the tank with the lower air pressure).

**2.** Operation of automatic spring brakes. The motor vehicle wheels shall be chocked, the parking brake released when there is sufficient air pressure to do so, and the engine turned off. The brake pedal shall be depressed and released to reduce the air tank pressure. The parking brake knob shall pop out when the air pressure falls to the manufacturer's specification, which is usually in a range of between 20 to 40 pounds per square inch. This shall cause the spring brakes to engage.

**3.** Rate of air pressure increase. With the motor vehicle engine idling at the motor vehicle manufacturer's specification, the air pressure shall increase from 85 pounds per square inch to 100 pounds per square inch within 45 seconds in dual air systems. If the motor vehicle is equipped with larger than minimum air tanks, the rate of increase may be longer as per the manufacturer's specifications. In single air systems on pre-1975 model year motor vehicles, typical specifications are an air pressure rate of increase from 50 to 90 pounds per square inch within three minutes with the engine at an idle speed of 600 to 900 revolutions per minute.

**4.** Air leakage rate. With a fully-charged air system (typically 125 pounds per square inch), the engine shall be turned off, the service brake shall be released, and the air pressure drop shall be timed. The loss rate shall be less than two pounds per square inch in one minute for single vehicles, or less than three pounds per square inch in one minute for combination vehicles. Ninety pounds per square inch or more shall then be applied to the brake pedal. After the initial pressure drop, the air pressure shall not fall more than three pounds per square inch in one minute for single vehicles, nor more than four pounds per square inch in one minute for combination vehicles.

**5.** Governor cut-in and cut-out pressure. The air compressor shall start pumping at approximately 100 pounds per square inch and shall stop pumping at approximately 125 pounds per square inch as per the manufacturer's specifications. The motor vehicle engine shall be operated at a fast idle. The air governor shall cut-out the air compressor at approximately the manufacturer's specified pressure. The air pressure indicated on the air pressure gauge(s) shall stop rising. With the engine idling, the brake pedal shall be depressed and released to reduce the air tank pressure. The air compressor shall cut-in at approximately the manufacturer's specified cut-in pressure, and the air pressure shall begin to rise.

**HISTORY:**

Amended by R.2001 d.358, effective October 15, 2001.

See: 33 N.J.R. 1894(a), 33 N.J.R. 3651(b).

In (m)1, rewrote the last sentence as new last two sentences.

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

Substituted "Motor Vehicle Commission" for "Division" in (m)3.

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Service brakes (including service brake equalization and service brake pedal reserve); Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Service brakes (including service brake equalization and service brake pedal reserve); Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: service brakes (including service brake equalization and service brake pedal reserve); Class I, II, IV, and V licensees".

### **§ 13:20-33.48 Commercial vehicle inspection: parking brake**

(a) The parking brake shall be able to hold the motor vehicle stationary on any up or down grade upon which it can be operated, whether the motor vehicle is empty or loaded.

(b) The parking brake shall be equipped with a ratchet and pawl, or other type of automatic locking device, which will hold the brake in the applied position. On motor vehicles equipped with an automatic transmission and an automatic parking brake release, the locking device shall hold the parking brake in the applied position regardless of whether the transmission gear shift lever is in the "neutral" or "park" position.

(c) When the parking brake is applied, there shall be a minimum of one-third of the total average travel (as per the motor vehicle manufacturer's specifications) remaining.

#### **HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Parking brake; Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Parking brake; Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: parking brake; Class I, II, IV, and V licensees".

### **§ 13:20-33.49 Commercial vehicle inspection: speed recording instrument (speedometer); mileage recording instrument (odometer)**

Certification of a motor vehicle shall be refused if the speed recording instrument (speedometer) or the mileage recording instrument (odometer) for such motor vehicle is inoperative or does not operate

properly.

**HISTORY:**

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

Section was "Speed recording instrument (speedometer); mileage recording instrument (odometer); Class I and II licensees".

Amended by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Speed recording instrument (speedometer); mileage recording instrument (odometer); Class I, I-A, II and II-A licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Commercial vehicle inspection: speed recording instrument (speedometer); mileage recording instrument (odometer); Class I, II, IV, and V licensees".

**§ 13:20-33.50 Smoke opacity testing**

All diesel powered vehicles with a gross vehicle weight of 18,000 pounds or more are required to be tested on an annual basis in accordance with N.J.A.C. 7:27-14.6 and 14.4.

**HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

Inserted designation (a); and added (b).

Amended by R.2009 d.312, effective October 19, 2009.

See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).

In (b), deleted a comma following "year" and deleted the last sentence.

Repeal and New Rule, R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "Credentials; Class III licensees".

Amended by R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Smoke opacity testing; Class III, IV, or V licensees". Inserted "an", and deleted "7:27-" preceding "14.4".

**§ 13:20-33.51 Emergency exits for buses**

The emergency exit door on all buses shall comply with provisions of 49 CFR 393.62, which are incorporated herein by reference.

**HISTORY:**

Amended by R.2006 d.249, effective July 3, 2006.

See: 38 N.J.R. 386(b), 38 N.J.R. 2835(a).

In (b)7, inserted ", which may be" following "decal(s)" and substituted "Motor Vehicle Commission" for "Division".

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

In (a), deleted ", or if the letters and/or numbers on the license plate are illegible" from the end; and in (b)6, inserted ", illegible,".

Repealed by R.2014 d.008, effective January 6, 2014.

See: 45 N.J.R. 842(a), 46 N.J.R. 103(c).

Section was "License plate; Class III licensees".

New Rule, R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "(Reserved)".

**§ 13:20-33.52 (Reserved)**

**§ 13:20-33.53 (Reserved)**

**§ 13:20-33.54 (Reserved)**

**§ 13:20-33.55 (Reserved)**

**§ 13:20-33.56 (Reserved)**

**§ 13:20-33.57 (Reserved)**

**§ 13:20-33.58 (Reserved)**

**§ 13:20-33.59 (Reserved)**

**§ 13:20-33.60 (Reserved)**

**§ 13:20-33.61 (Reserved)**

**§ 13:20-33.62 (Reserved)**

**§ 13:20-33.63 (Reserved)**

**§ 13:20-33.64 (Reserved)**

**§ 13:20-33.65 (Reserved)**

**§ 13:20-33.66 (Reserved)**

**§ 13:20-33.67 (Reserved)**

**§ 13:20-33.68 (Reserved)**

**§ 13:20-33.69 (Reserved)**

**§ 13:20-33.70 (Reserved)**

**§ 13:20-33.71 (Reserved)**

## **APPENDIX A**

**AVERAGE LENGTH OF TIME REQUIRED TO REINSPECT A SPECIFIC ITEM ON A MOTOR VEHICLE HAVING A GVWR OF 8,500 POUNDS OR LESS**



**Item Reinspected**

**Time Required**

Credentials

.1 hour\*

.....

License Plates

.1 hour\*

.....

Steering and Suspension

.5 hour

.....

Front Parking Lights

.1 hour\*

.....

Glazing

.2 hour

.....

Obstruction to Driver's Vision

.1 hour\*

.....

Horn

.1 hour\*

.....

Windshield Wipers

.2 hour

.....

Item Reinspected	Time Required
Turn Signals and/or Hazard Warning Signals .....	.2 hour
Clearance Lights, Reflectors, Identification Lights and/or Side-Marker Lights .....	.2 hour
Taillights .....	.1 hour*
Stoptlights .....	.1 hour*
Wheels and/or Tires .....	.2 hour
Exhaust System .....	.2 hour
Engine Emissions (CO, HC and/or Smoke) .....	.5 hour
Fuel Cap Leak Test .....	.2 hour
On-Board Diagnostics (OBD) Inspection .....	.3 hour
Catalytic Converter	.2 hour

**Item Reinspected**

**Time Required**

.....

Headlights

.3 hour

.....

Rear View Mirrors

.1 hour\*

.....

Miscellaneous Lights

.2 hour

.....

Wiring and/or Switching

.2 hour

.....

Miscellaneous Items

.3 hour

.....

Service Brakes

.5 hour

.....

Parking Brake and Reserve

.2 hour

.....

Service Brake Equalization

.5 hour

<b>Item Reinspected</b>	<b>Time Required</b>
.....	
Service Brake Pedal Reserve	.2 hour
.....	

\* Note: If this is the only item to be reinspected on a motor vehicle, the reinspection time shall be considered to be .2 hour.

**HISTORY:**

Amended by R.2003 d.206, effective May 19, 2003.  
 See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).  
 Substituted "Fuel Cap Leak Test" for "Gas Cap Test" and "On-Board Diagnostics (OBD) Inspection" for "On-Board Diagnostic (OBD) Test"; deleted "Pressure Test .3 hour".  
 Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).  
 See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).  
 Deleted "and/or License Plate Light" following "Taillights".  
 Amended by R.2009 d.312, effective October 19, 2009.  
 See: 41 N.J.R. 1674(a), 41 N.J.R. 3939(b).  
 In entry "Engine emissions", in the left column, deleted ", NO[x]" following "HC".

**APPENDIX B**

AVERAGE LENGTH OF TIME REQUIRED TO REINSPECT A SPECIFIC ITEM ON A MOTOR VEHICLE HAVING A GVWR GREATER THAN 8,500 POUNDS

<u><b>Item Reinspected</b></u>	<u><b>Time Required</b></u>
Credentials	.1 hour*
License Plates	.1 hour*

Steering and Suspension	.7 hour
Front Parking Lights	.1 hour*
Glazing	.2 hour
Obstruction to Driver's Vision	.1 hour*
Horn	.1 hour*
Windshield Wipers	.2 hour
Turn Signals and/or Hazard Warning Signals	.2 hour
Clearance Lights, Reflectors, Identification Lights and/or Side Marker Lights	.2 hour
Taillights	.1 hour*
Stoplights	.1 hour*
Wheels and/or Tires	.2 hour
Exhaust System	.4 hour
Engine Emissions (CO, HC and/or Smoke)	.5 hour
Fuel Cap Leak Test	.2 hour
Catalytic Converter	.2 hour
Headlights	.3 hour

Rear View Mirrors	.1 hour*
Miscellaneous Lights	.2 hour
Wiring and/or Switching	.2 hour
Miscellaneous Items	.3 hour
Service Brakes	.7 hour
Parking Brake and Reserve	.4 hour
Service Brake Equalization	.7 hour
Service Brake Pedal Reserve	.4 hour

\* Note: If this is the only item to be reinspected on a motor vehicle, the  
reinspection time shall be considered to be .2 hour.

**HISTORY:**

Amended by R.2003 d.206, effective May 19, 2003.  
See: 34 N.J.R. 2523(a), 35 N.J.R. 2251(b).  
Substituted "Fuel Cap Leak Test" for "Gas Cap Test".  
Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).  
See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).  
Deleted "and/or License Plate Light" following "Taillights".

**APPENDIX C**

AVERAGE LENGTH OF TIME REQUIRED TO RE-INSPECT A SPECIFIC ITEM ON A HEAVY-DUTY DIESEL TRUCK OR DIESEL BUS

Item Re-inspected	Time Required
Credentials	0.1 hour*
Emission Control Apparatus	0.2 hour
Governor	0.2 hour
Exhaust System	0.2 hour
Emission Control System	0.3 hour
Engine Emissions (Opacity)	0.3 hour

\* Note: If this is the only item to be re-inspected on a vehicle, the re-inspection time shall be considered to be 0.2 hour.

**HISTORY:**

Amended by R.2007 d.33, effective February 5, 2007 (operative March 1, 2007).

See: 38 N.J.R. 2636(a), 39 N.J.R. 498(c).

Deleted "and/or License Plate Light" following "Taillights".

Repeal and New Rule, R.2016 d.050, effective May 16, 2016.

See: 48 N.J.R. 249(a), 48 N.J.R. 810(a).

Section was "Average Length of Time Required to Reinspect a Specific Item on a Motorcycle".

**APPENDIX C (Reserved)**

**APPENDIX D (Reserved)**

**APPENDIX E (Reserved)**

**APPENDIX F (Reserved)**

**APPENDIX G (Reserved)**

**APPENDIX H (Reserved)**

**APPENDIX I (Reserved)**

**APPENDIX J (Reserved)**

**APPENDIX K (Reserved)**